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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

AMERICAN NAVIGATION SYSTEMS,  
INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC., and SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC,

Defendants.

Case No. 3:14-cv-05298-JST

**STIPULATED MOTION TO DISMISS  
ALL ASSERTED CLAIMS OF U.S.  
PATENT NO. 5,902,347 AND  
~~PROPOSED~~ ORDER**

1 Plaintiff and Counter-Defendant American Navigation Systems, Inc. (“AmNav”) and  
 2 Defendants and Counter-Plaintiffs Samsung Electronics Co., Ltd. and Samsung Electronics  
 3 America, Inc. (collectively “Samsung”)<sup>1</sup> hereby submit this stipulated motion to dismiss and  
 4 proposed order.

5 WHEREAS, on March 6, 2015, Samsung, Apple Inc. (“Apple”), and non-party Google  
 6 Inc. filed two petitions with the U.S. Patent and Trademark Office (“PTO”) for administrative  
 7 *inter partes* review of asserted U.S. Patent No. 5,902,347 (“’347 Patent”), numbered  
 8 IPR2015-00849 and IPR2015-00851.

9 WHEREAS, on September 20, 2016, the PTO issued its final decisions in both IPR  
 10 proceedings, cancelling all asserted claims of the ’347 Patent.

11 WHEREAS, AmNav did not appeal the PTAB’s decision to the Federal Circuit, and  
 12 the PTAB will therefore issue a certificate canceling the asserted claims of the ’347 Patent.

13 IT IS HEREBY STIPULATED AND AGREED by and between AmNav and Samsung,  
 14 and subject to the approval of the Court, that:

15 1. Pursuant to Fed. R. Civ. P. 41, AmNav and Samsung hereby move for an order  
 16 dismissing AmNav’s claims in this case WITH PREJUDICE and Samsung’s counterclaims  
 17 WITHOUT PREJUDICE.

18 2. Each party shall bear its own costs, expenses, and attorneys’ fees associated  
 19 with the claims and counterclaims dismissed by this Stipulated Dismissal.

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28 <sup>1</sup> Samsung Telecommunications America LLC merged into Defendant Samsung Electronics  
 America, Inc. as of January 1, 2015, and no longer exists as a separate entity. Dkt. No. 69.

Dated: December 19, 2016

Dated: December 19, 2016

By: /s/ Kalpana Srinivasan  
Kalpana Srinivasan

By: /s/ David Almeling  
David Almeling

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**FILER'S ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from each of its signatories.

Dated: December 19, 2016

By: /s/ David Almeling  
David Almeling

**~~PROPOSED~~ ORDER OF DISMISSAL**

Having considered the Stipulated Motion for Dismissal of all claims and counterclaims asserted between Plaintiff and Counter-Defendant American Navigation Systems, Inc. (“AmNav”) and Defendants and Counter-Plaintiffs Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively “Samsung”) in this case, the Court GRANTS the motion in its entirety.

All claims of infringement of U.S. Patent No. 5,902,347 that AmNav raised or could have raised are dismissed WITH PREJUDICE. All claims, defenses, or counterclaims that Samsung raised are dismissed WITHOUT PREJUDICE. It is further ORDERED that all attorneys’ fees, expenses, and costs are to be borne by the party that incurred them.

Dated: December 20, 2016

  
\_\_\_\_\_  
THE HONORABLE JON. S. TIGAR  
United States District Judge